

LAR 06/2006

**Board of Vocational Nursing
and Psychiatric Technicians**

EDMUND G. BROWN JR., Attorney General
of the State of California

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Supervising Deputy Attorney General

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Attorneys for Complainant

**BEFORE THE
BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Petition to Revoke Probation
Against:

Case No. 6477

TERESA NAOMI KNIGHT

**PETITION TO REVOKE
PROBATION**

2705 Viola Street, Apt. A

Oakland, CA 94619

Vocational Nurse License No. VN 127288

Respondent.

Complainant alleges:

PARTIES

1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) brings this Petition to Revoke Probation solely in her official capacity as the Executive Officer of the Board of Vocational Nursing and Psychiatric Technicians, Department of Consumer Affairs.

2. On or about May 21, 1985, the Board of Vocational Nursing and Psychiatric Technicians issued Vocational Nurse License Number VN 127288 to Teresa Naomi Knight (Respondent). The license was in effect at all times relevant to the charges brought herein, and expired on June 30, 2007.

3. In a disciplinary action entitled "In the Matter of Accusation Against Teresa Naomi Knight," Case No. 6477, the Board of Vocational Nursing and Psychiatric Technicians, issued a decision, effective October 5, 2006, in which Respondent's Vocational

1 Nurse License was revoked. However, the revocation was stayed and Respondent was placed on
2 probation for a period of three (3) years with certain terms and conditions. A copy of that
3 decision is attached as Exhibit A and is incorporated by reference.

4 JURISDICTION

5 4. This Petition to Revoke Probation is brought before the Board of
6 Vocational Nursing and Psychiatric Technicians (Board), Department of Consumer Affairs,
7 under the authority of the following laws. Business and Professions Code section 118,
8 subdivision (b), provides, in pertinent part, that the expiration of a license shall not deprive the
9 Board of jurisdiction to proceed with a disciplinary action during the period within which the
10 license may be renewed, restored, reissued or reinstated. Under Business and Professions Code
11 section 2892.1, the Board may renew an expired license at any time within four years after its
12 expiration.

13 5. Condition 12 of Respondent's disciplinary probation provides, in pertinent
14 part, that if Respondent violates the terms of probation in any respect, the Board, after giving
15 notice and the opportunity to be heard, may set aside the stay order and impose the revocation of
16 Respondent's license.

17 FIRST CAUSE TO REVOKE PROBATION

18 (Quarterly Report Requirement)

19 6. At all times after the effective date of Respondent's probation, Condition
20 2 stated that Respondent shall fully comply with the terms and conditions of the probation and
21 shall cooperate with the Board's representative in the monitoring of her compliance with the
22 terms and conditions of probation, including submitting timely quarterly reports.

23 7. Respondent's probation is subject to revocation because she failed to
24 comply with Probation Condition 2, referenced above. Respondent failed to cooperate with the
25 Board's representative in the monitoring of her compliance. In addition, Respondent failed to
26 timely submit the following Quarterly Written Reports:

- 27 1. October - December 2006, report due on January 7, 2007, received on October 11, 2007.
- 28 2. January - March 2007, report due on April 7, 2007, received on October 11, 2007.

3. April - June 2007, report due on July 7, 2007, received on October 11, 2007.
4. July - September 2007, report due on October 7, 2007, received on October 11, 2007.
5. October - December 2007, report due on January 7, 2008, received on January 31, 2008.
6. April - June 2008, report due on July 7, 2008, received on July 8, 2008.

SECOND CAUSE TO REVOKE PROBATION

(Employment Requirements and Limitations)

8. At all times after the effective date of Respondent's probation, Condition 7 stated that during probation, Respondent shall work in her licensed capacity for at least six (6) continuous months and no less than twenty (20) hours per week. In addition, Condition 7 stated that Respondent shall not work for a nurses' registry, in any private duty position, or in a temporary nurse placement agency.

9. Respondent's probation is subject to revocation because she failed to comply with Probation Condition 7, referenced above. First, respondent did not work in her licensed capacity for at least six (6) continuous months and no less than twenty (20) hours per week because a letter she wrote on February 19, 2007, stated that she was disabled and awaiting knee replacement surgery. In addition, documentation from the Social Security Administration states that on October 3, 2006, she was found disabled under their rules. Lastly, Respondent's fax dated October 22, 2007, states that she will start the process of permanent disability, and her correspondence dated July 2, 2008, indicates that she is still awaiting surgery and continues to receive disability benefits without prognosis. Second, respondent worked in a private duty nurse position as indicated by her February 19, 2007 correspondence stating that she worked part-time at an in-home care pediatrics location. In addition, her September 26, 2007 correspondence stated that she has not worked in a hospital setting since February 2004 and has been working in in-home care for the last four (4) years. The Board never approved in-home care employment.

THIRD CAUSE TO REVOKE PROBATION

(Notification to Employers and Supervisory Requirements)

10. The matters alleged in paragraphs 8 and 9 are re-alleged as though fully set forth.

1 11. At all times after the effective date of Respondent's probation, Condition
2 5 stated that during probation, Respondent shall notify her employer of the probationary status of
3 her license, her employer shall submit quarterly reports to the Board, and Respondent shall
4 notify the Board, in writing, within five (5) days of any change in employment status.

5 12. At all times after the effective date of Respondent's probation, Condition
6 8 stated that during probation, Respondent shall obtain prior approval from the Board, before
7 commencing any employment, regarding the level of supervision provided to Respondent while
8 employed as a licensed vocational nurse.

9 13. Respondent's probation is subject to revocation because she failed to
10 comply with Probation Conditions 5 and 8, referenced above.

11 FOURTH CAUSE TO REVOKE PROBATION

12 (Completion of Educational Course)

13 14. At all times after the effective date of Respondent's probation, Condition
14 9 stated that Respondent shall enroll and successfully complete courses substantially related to
15 the violations no later than the end of the first year of probation, and, within 30 days of the
16 Board's written notification of assigned coursework, Respondent shall submit a written plan to
17 comply with the remedial education requirement.

18 15. Respondent's probation is subject to revocation because she failed to
19 comply with Probation Condition 9, referenced above. Respondent failed to submit a plan to
20 complete her remedial educational assignment by January 7, 2007, as directed. She submitted a
21 copy of a syllabus and course outline which the Board did not approve. The first Notice of
22 Probation violation dated February 5, 2007, required her to submit a written plan by March 5,
23 2007, which she failed to do. She submitted a plan on October 2, 2007, after the second Notice
24 of Probation Violation dated September 21, 2007, which was partially denied. Respondent
25 failed to immediately submit a revised plan as instructed. Lastly, she failed to submit the
26 requisite certificates of completion within the first year of probation, or by October 4, 2007.

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1 FIFTH CAUSE TO REVOKE PROBATION

2 (Maintenance of Valid License)

3 16. The matters alleged in paragraph 2 are re-alleged as though fully set forth.

4 17. At all times after the effective date of Respondent's probation, Condition
5 10 stated that during probation, Respondent shall maintain an active current license with the
6 Board.

7 18. Respondent's probation is subject to revocation because she failed to
8 comply with Probation Condition 10, referenced above, in that her vocational nurse license
9 expired on June 30, 2007, and has not been renewed.

10 SIXTH CAUSE TO REVOKE PROBATION

11 (Cost Recovery)

12 19. At all times after the effective date of Respondent's probation, Condition
13 11 stated that Respondent shall pay to the Board the costs of investigation and enforcement in
14 this matter in the amount of \$5833.14, in accordance with a Board-approved payment plan.

15 20. Respondent's probation is subject to revocation because she failed to
16 comply with Probation Condition 10, referenced above. Respondent failed to submit monthly
17 cost recovery payments as agreed at her initial probation compliance meeting. She agreed to
18 make thirty monthly payments of \$188.16, and a final payment of \$188.34 for the total amount
19 ordered, \$5,833.14. A January 22, 2007 Demand for payment letter resulted in two payments
20 amounting to \$75. An August 14, 2007 second Demand for payment letter resulted in two
21 additional payments totaling \$50. Respondent did not respond to the January 23, 2008 final
22 Demand for payment letter. Her current cost recovery balance of \$5,708.14 was referred to a
23 collection department on February 13, 2008.

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1 PRAYER

2 WHEREFORE, Complainant requests that a hearing be held on the matters herein
3 alleged, and that following the hearing, the Board of Vocational Nursing and Psychiatric
4 Technicians issue a decision:

5 1. Revoking the probation that was granted by the Board of Vocational
6 Nursing and Psychiatric Technicians in Case No. 6477 and imposing the disciplinary order that
7 was stayed, thereby revoking Vocational Nurse License No. VN 127288 issued to Teresa Naomi
8 Knight; and

9 2. Taking such other and further action as deemed necessary and proper.

10
11 DATED: March 5, 2009.

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15 TERESA BELLO-JONES, J.D., M.S.N., R.N.
16 Executive Officer
17 Board of Vocational Nursing and Psychiatric Technicians
18 Department of Consumer Affairs
19 State of California
20 Complainant

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Exhibit A

Decision and Order

Board of Vocational Nursing and Psychiatric Technicians Case No. 6477

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BEFORE THE
BOARD OF VOCATIONAL NURSING
AND PSYCHIATRIC TECHNICIANS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 6477

TERESA KNIGHT
2614 67TH Avenue
Oakland, CA 94605

Vocational Nurse License No. VN 127288

Respondent.

DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Vocational Nursing and Psychiatric Technicians, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on October 5, 2006.

IT IS SO ORDERED this 5TH day of September, 2006.

Sister Marie de Porres Taylor

Sister Marie de Porres Taylor
President



1 BILL LOCKYER, Attorney General
of the State of California
2 DIANN SOKOLOFF, State Bar No. 161082
Deputy Attorney General
3 California Department of Justice
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5 Telephone: (510) 622-2212
6 Facsimile: (510) 622-2270
7 Attorneys for Complainant

8
9 **BEFORE THE**
BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 TERESA NAOMI KNIGHT
A.K.A. TERESA NAOMI HAGAN
14 A.K.A. TERESA NAOMI TOLES
2614 67th Avenue
Oakland, CA 94605

15 Vocational Nurse License No. VN127288

16 Respondent.

Case No. 6477.

OAH No. N2005010244

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

17
18
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
20 above-entitled proceedings that the following matters are true:

21 **PARTIES**

22 1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) is the Executive
23 Officer of the Board of Vocational Nursing and Psychiatric Technicians. She brought this action
24 solely in her official capacity and is represented in this matter by Bill Lockyer, Attorney General
25 of the State of California, by Diann Sokoloff, Deputy Attorney General.

26 2. Respondent TERESA NAOMI KNIGHT (Respondent) is represented in
27 this proceeding by attorney Edgardo Gonzalez, whose address is 1300 Clay Street, Oakland, CA
28 94612.

1 3. On or about May 21, 1985, the Board of Vocational Nursing and
2 Psychiatric Technicians issued Vocational Nurse License No. VN127288 to TERESA NAOMI
3 KNIGHT, a.k.a. TERESA NAOMI HAGAN, a.k.a. TERESA NAOMI TOLES (Respondent).
4 The License was in full force and effect at all times relevant to the charges brought in Accusation
5 No. 6477 and will expire on June 30, 2007, unless renewed.

6 **JURISDICTION**

7 4. Accusation No. 6477 was filed before the Board of Vocational Nursing
8 and Psychiatric Technicians (Board), Department of Consumer Affairs, and is currently pending
9 against Respondent. The Accusation and all other statutorily required documents were properly
10 served on Respondent on December 15, 2004. Respondent timely filed her Notice of Defense
11 contesting the Accusation. A copy of Accusation No. 6477 is attached as Exhibit A and
12 incorporated herein by reference.

13 **ADVISEMENT AND WAIVERS**

14 5. Respondent has carefully read, fully discussed with counsel, and
15 understands the charges and allegations in Accusation No. 6477. Respondent has also carefully
16 read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and
17 Disciplinary Order.

18 6. Respondent is fully aware of her legal rights in this matter, including the
19 right to a hearing on the charges and allegations in the Accusation; the right to be represented by
20 counsel at her own expense; the right to confront and cross-examine the witnesses against her;
21 the right to present evidence and to testify on her own behalf; the right to the issuance of
22 subpoenas to compel the attendance of witnesses and the production of documents; the right to
23 reconsideration and court review of an adverse decision; and all other rights accorded by the
24 California Administrative Procedure Act and other applicable laws.

25 7. Respondent voluntarily, knowingly, and intelligently waives and gives up
26 each and every right set forth above.

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1 CULPABILITY

2 8. Respondent admits the truth of each and every charge and allegation in
3 Accusation No. 6477.

4 9. Respondent agrees that her Vocational Nurse License is subject to
5 discipline and she agrees to be bound by the Board's imposition of discipline as set forth in the
6 Disciplinary Order below.

7 CIRCUMSTANCES IN MITIGATION

8 10. Respondent TERESA NAOMI KNIGHT has never been the subject of any
9 disciplinary action. She is admitting responsibility at an early stage in the proceedings. She has
10 earned a good record while working as a vocational nurse for Maxim Healthcare Services since
11 June 2003. She currently attends California State University, Hayward and is working toward a
12 Bachelor of Science degree in Health Sciences. Lastly, she obtained an expungement of her 1991
13 forgery conviction over four years ago and has not sustained any additional convictions.

14 CONTINGENCY

15 11. This stipulation shall be subject to approval by the Board of Vocational
16 Nursing and Psychiatric Technicians. Respondent understands and agrees that counsel for
17 Complainant and the staff of the Board of Vocational Nursing and Psychiatric Technicians may
18 communicate directly with the Board regarding this stipulation and settlement, without notice to
19 or participation by Respondent or her counsel. By signing the stipulation, Respondent
20 understands and agrees that she may not withdraw her agreement or seek to rescind the
21 stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this
22 stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of
23 no force or effect, except for this paragraph, it shall be inadmissible in any legal action between
24 the parties, and the Board shall not be disqualified from further action by having considered this
25 matter.

26 12. The parties understand and agree that facsimile copies of this Stipulated
27 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
28 force and effect as the originals.

1 13. In consideration of the foregoing admissions and stipulations, the parties
2 agree that the Board may, without further notice or formal proceeding, issue and enter the
3 following Disciplinary Order:

4 **DISCIPLINARY ORDER**

5 IT IS HEREBY ORDERED that Vocational Nurse License No. VN127288 issued
6 to Respondent TERESA NAOMI KNIGHT is revoked. However, the revocation is stayed and
7 Respondent is placed on probation for three (3) years on the following terms and conditions.

8 1. **Obey All Laws.** Respondent shall obey all federal, state and local laws,
9 including all statutes and regulations governing the license. Respondent shall submit, in writing,
10 a full and detailed account of any and all violations of the law to the Board within five (5) days of
11 occurrence. To ensure compliance with this term, respondent shall submit two (2) completed
12 fingerprint cards and the applicable fingerprint processing fees to the Board within thirty (30)
13 days of the effective date of the decision, unless the Board determines that fingerprint cards were
14 already submitted by Respondent as part of her licensure application process effective July 1,
15 1996. Respondent shall also submit a recent 2" x 2" photograph of herself within thirty (30) days
16 of the effective date of the decision.

17 2. **Compliance With Probation Program And Quarterly Report**
18 **Requirements.** Respondent shall fully comply with terms and conditions
19 of the probation established by the Board and shall cooperate with the representatives of the
20 Board in its monitoring and investigation of the Respondent's compliance with the Probation
21 Program.

22 Respondent shall submit quarterly reports, under penalty of perjury, in a form
23 required by the Board. The reports shall certify and document compliance with all the conditions
24 of probation.

25 3. **Notification of Address And Telephone Number Change(s).**
26 Respondent shall notify the Board, in writing, within five (5) days of a change of residence or
27 mailing address, of her new address and any change in her work and/or home telephone numbers.

28 //

1 4. **Notification of Residency or Practice Outside of State.** Respondent
2 shall notify the Board, in writing, within five (5) days, if she leaves California to reside or
3 practice in another state.

4 Respondent shall notify the Board, in writing, within five (5) days, upon her return
5 to California.

6 The period of probation shall not run during the time Respondent is residing or
7 practicing outside California.

8 5. **Notification to Employer(s).** When currently employed or applying for
9 employment in any capacity in any health care profession, Respondent shall notify her employer
10 of the probationary status of Respondent's license. This notification to the Respondent's current
11 health care employer shall occur no later than the effective date of the Decision. Respondent
12 shall notify any prospective health care employer of her probationary status with the Board prior
13 to accepting such employment. This notification shall be by providing the employer or
14 prospective employer with a copy of the Board's Accusation and Disciplinary Decision.

15 The Health Care Profession includes, but is not limited to: Licensed Vocational
16 Nurse, Psychiatric Technician, Registered Nurse, Medical Assistant, Paramedic, Emergency
17 Medical Technician, Certified Nursing Assistant, Home Health Aide, and all other ancillary
18 technical health care positions.

19 Respondent shall cause each health care employer to submit quarterly reports to
20 the Board. The reports shall be on a form provided by the Board, shall include a performance
21 evaluation and such other information as may be required by the Board.

22 Respondent shall notify the Board, in writing, within five (5) days of any change
23 in employment status. Respondent shall notify the Board, in writing, if she is terminated from
24 any nursing or health care related employment with a full explanation of the circumstances
25 surrounding the termination.

26 6. **Interviews/meetings With Board Representative(s).** Respondent,
27 during the period of probation, shall appear in person at interviews/meetings as directed by the
28 Board, or its designated representatives.

1 7. **Employment Requirements And Limitations.** During probation,
2 Respondent shall work in her licensed capacity in the State of California. This practice shall
3 consist of no less than six (6) continuous months and of no less than twenty (20) hours per week.

4 While on probation, Respondent shall not work for a nurses' registry or in any
5 private duty position, a temporary nurse placement agency, as a faculty member in an accredited
6 or approved school of nursing, or as an instructor in a Board approved continuing education
7 course except as approved, in writing, by the Board. Respondent shall work only on a regularly
8 assigned, identified and predetermined work site(s) and shall not work in a float capacity except
9 as approved, in writing, by the Board.

10 8. **Supervision Requirements.** Respondent shall obtain prior approval from
11 the Board, before commencing any employment, regarding the level of supervision provided to
12 Respondent while employed as a licensed vocational nurse.

13 Respondent shall not function as a charge nurse (i.e., work in any healthcare
14 setting as the person who oversees or directs licensed vocational nurses, psychiatric technicians,
15 certified nursing assistants or unlicensed assistive personnel) during the period of probation
16 except as approved, in writing, by the Board.

17 9. **Completion of Educational Course(s).** Respondent, at her own expense,
18 shall enroll and successfully complete a course(s) substantially related to the violation(s) no later
19 than the end of the first year of probation; or Respondent shall be suspended from practice, until
20 she has enrolled in and has successfully completed the specified coursework.

21 The coursework shall be in addition to that required for license renewal. The
22 Board shall notify Respondent of the course content and number of contact hours required.
23 Within thirty (30) days of the Board's written notification of assigned coursework, Respondent
24 shall submit a written plan to comply with this requirement. The Board shall approve such plan
25 prior to enrollment in any course of study.

26 Upon successful completion of the course, Respondent shall cause the instructor
27 to furnish proof to the Board within thirty (30) days of course completion.

28 //

1 10. **Maintenance of Valid License.** Respondent shall, at all times while on
2 probation, maintain an active current license with the Board, including any period during which
3 suspension or probation is tolled.

4 Should respondent's license, by operation of law or otherwise, expire, upon
5 renewal or reinstatement respondent's license shall be subject to any and all terms of this
6 probation not previously satisfied.

7 11. **Cost Recovery Requirements.** Respondent shall pay to the Board
8 pursuant to Business and Professions Code Section 125.3 the costs of investigation and
9 enforcement in this matter in the amount of \$5833.14 (Fifty-Eight Hundred Thirty-Three dollars
10 and Fourteen cents). Respondent shall be permitted to pay these costs in a payment plan
11 approved by the Board, with the payments to be completed no later than three months prior to the
12 end of the probation term. Failure to complete payment of cost recovery within this time frame
13 shall constitute a violation of probation which may subject Respondent's license to outright
14 revocation.

15 The Board may conditionally renew or reinstate, for a maximum of one year,
16 the license of any respondent who demonstrates financial hardship. Respondent shall enter into a
17 formal agreement with the Board to reimburse the unpaid costs within that one year period.

18 Except as provided above, the Board shall not renew or reinstate the license of any
19 Respondent who has failed to pay all the costs as directed in a Decision.

20 12. **Violation of Probation.** If Respondent violates the conditions of her
21 probation, the Board after giving Respondent notice and an opportunity to be heard, may set
22 aside the stay order and impose the stayed discipline (revocation) of the Respondent's license. If
23 during the period of probation, an accusation or petition to revoke has been filed against the
24 Respondent's license or the Attorney General's Office has been requested to prepare an
25 accusation or petition to revoke probation against the Respondent's license, the probationary
26 period shall automatically be extended and shall not expire until the accusation or petition has
27 been acted upon by the Board. Upon successful completion of probation, the Respondent's
28 license will be fully restored.

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ED GONZALEZ


PAGE 89

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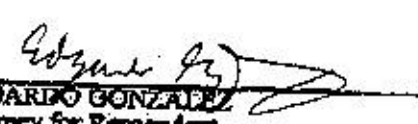
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ACCEPTANCE

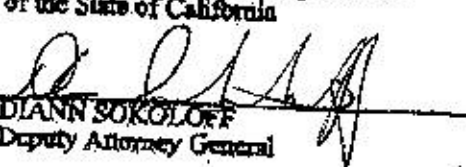
I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Edgardo Gonzalez. I understand the stipulation and the effect it will have on my Vocational Nurse License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Vocational Nursing and Psychiatric Technicians.

DATED: 3/18/05
TERESA NAOMI KNIGHT
Respondent

I have read and fully discussed with Respondent Teresa Naomi Knight the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 3/18/05
EDGARDO GONZALEZ
Attorney for Respondent**ENDORSEMENT**

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Vocational Nursing and Psychiatric Technicians of the Department of Consumer Affairs.

DATED: 3/18/05BILL LOCKYER, Attorney General
of the State of California
DIANN SOKOLOFF
Deputy Attorney General

Attorneys for Complainant

DOJ Document/Case ID Number: 03592110392004400049
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Exhibit A
Accusation No. 6477

1 BILL LOCKYER, Attorney General
of the State of California
2 DIANN SOKOLOFF, State Bar No. 161082
Deputy Attorney General
3 California Department of Justice
1515 Clay Street, 20th Floor
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6
7 Attorneys for Complainant

8
9 **BEFORE THE**
BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS
DEPARTMENT OF CONSUMER AFFAIRS
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 6477

12 **TERESA NAOMI KNIGHT**
a.k.a. TERESA NAOMI HAGAN
13 a.k.a. TERESA NAOMI TOLES
2614 67th Avenue
14 Oakland, California 94605

ACCUSATION

15 Vocational Nurse License No. VN127288

16 Respondent.

17
18 Teresa Bello-Jones, J.D., M.S.N., R.N. ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the
21 Executive Officer of the Board of Vocational Nursing and Psychiatric Technicians ("Board"),
22 Department of Consumer Affairs.

23 2. On or about May 21, 1985, the Board issued Vocational Nurse License
24 Number VN127288 to TERESA NAOMI KNIGHT, a.k.a. TERESA NAOMI HAGAN,
25 TERESA NAOMI TOLES ("Respondent"). The license will expire on June 30, 2005, unless
26 renewed.

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STATUTORY PROVISIONS

3. Section 2875 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline the holder of a vocational nurse license for any reason provided in Article 3 (commencing with Code section 2875) of the Vocational Nursing Practice Act.

4. Section 118, subdivision (b), of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated. Under section 2892.1 of the Code, the Board may renew an expired license at any time within four years after the expiration.

5. Section 2878 of the Code states, in pertinent part:
"The Board may suspend or revoke a license issued under this chapter [the Vocational Nursing Practice Act (Bus. & Prof. Code, § 2840, et seq.)] for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

(1) Incompetence, or gross negligence in carrying out usual nursing functions.

(f) Conviction of a crime substantially related to the qualifications, functions, and duties of a licensed vocational nurse, in which event the record of the conviction shall be conclusive evidence of the conviction.

(j) The commission of any act involving dishonesty, when that action is related to the duties and functions of the licensee."

6. Title 16, California Code of Regulations, section 2518.6, states, in pertinent part:

"(a) A licensed vocational nurse shall safeguard patients'/clients' health and safety.

(b) A licensed vocational nurse shall adhere to standards of the profession and shall incorporate ethical and behavioral standards of professional

1 practice.

2 (c) A violation of this section constitutes unprofessional conduct for
3 purposes of initiating disciplinary action."

4 7. Section 490 of the Code provides, in pertinent part, that the Board may
5 suspend or revoke a license when it finds that the licensee has been convicted of a crime
6 substantially related to the qualifications, functions or duties of a licensed vocational nurse.

7 8. Section 125.3 of the Code provides, in pertinent part, that the Board may
8 request the administrative law judge to direct a licensee found to have committed a violation or
9 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
10 and enforcement of the case.

11 FIRST CAUSE FOR DISCIPLINE

12 (Gross Negligence)

13 9. Respondent is subject to disciplinary action under Code section 2878,
14 subdivision (a), on the grounds of unprofessional conduct, as defined in section 2878,
15 subdivision (a)(1), of the Code, in that Respondent was grossly negligent in the following
16 respects:

17 a. On or about May 30, 2003, while employed by CW Healthcare as a
18 licensed vocational nurse at Chaparral House, Berkeley, California:

19 1. Respondent wrote a medical order for an analgesic
20 medication (Tylenol 650 mg.) for patient "A" without the physician's knowledge
21 or approval and failed to notify the physician of the medication order that she had
22 written, which was for a medication contraindicated by the patient's medical
23 condition.

24 2. Respondent failed to notify patient "A"'s physician of the
25 patient's complaint of pain, which had prompted the Tylenol medication order.

26 3. Respondent administered several doses of medication
27 (Tylenol) to patient "A" without the physician's knowledge or approval when
28 such medication was contraindicated by the patient's medical condition.

b. Respondent admits that on more than one occasion she failed to administer medication to various patients without a physician's approval.

c. Respondent admits that on more than one occasion she modified medication orders to various patients without a physician's approval or authorization.

SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

10. Respondent is subject to disciplinary action under Code section 2878, subdivision (a), on the grounds of unprofessional conduct, in that while a licensed vocational nurse, Respondent demonstrated unprofessional conduct as set forth above in paragraph 9.

THIRD CAUSE FOR DISCIPLINE

(Failed to Safeguard Patient's Health and Safety)

11. Respondent is subject to disciplinary action under Code section 2878, subdivision (a), and Title 16 of the California Code of Regulations, section 2518.6, subdivision (c), on the grounds of unprofessional conduct, in that Respondent failed to comply with section 2518.6, subdivision (a), in that while a licensed vocational nurse Respondent failed to safeguard patients' health and safety as set forth above in paragraph 9.

FOURTH CAUSE FOR DISCIPLINE

(Failed to Adhere to Standards of Practice)

12. Respondent is subject to disciplinary action under Code section 2878, subdivision (a), and Title 16 of the California Code of Regulations, section 2518.6, subdivision (c), on the grounds of unprofessional conduct, in that Respondent failed to comply with section 2518.6 subdivision (b), in that while a licensed vocational nurse Respondent failed to adhere to ethical or behavioral standards of the profession as set forth above in paragraph 9.

FIFTH CAUSE FOR DISCIPLINE

(Conviction of a Crime)

13. Respondent is subject to disciplinary action under Code sections 2878, subdivision (f), and 490 in that she was convicted of the following crime that is substantially

1 related to the qualifications, functions or duties of a licensed vocational nurse;

2 a. On or about September 26, 1991, in the case of *People v. Teresa N.*
3 *Knight*, (Super. Ct. Alameda County, 1991, Case No. 108847), Respondent was
4 convicted by the Court on her plea of guilty to violating Penal Code section 470
5 (forgery).

6 **SIXTH CAUSE FOR DISCIPLINE**

7 **(Dishonesty, Fraud or Deceit)**

8 14. Respondent is subject to disciplinary action under Code section 2878,
9 subdivision (j), in that while a licensed vocational nurse, Respondent committed an act of
10 dishonesty as set forth above in paragraphs 9 and 13 above.

11 **PRAYER**

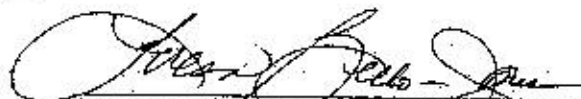
12 WHEREFORE, Complainant requests that a hearing be held on the matters herein
13 alleged, and that following the hearing, the Board of Vocational Nursing and Psychiatric
14 Technicians issue a decision:

15 1. Revoking or suspending Vocational Nurse License Number VN127288,
16 issued to TERESA NAOMI KNIGHT, a.k.a. TERESA NAOMI HAGAN, TERESA NAOMI
17 TOLES;

18 2. Ordering TERESA NAOMI KNIGHT to pay the Board of Vocational
19 Nursing and Psychiatric Technicians the reasonable costs of the investigation and enforcement of
20 this case, pursuant to Business and Professions Code section 125.3; and,

21 3. Taking such other and further action as deemed necessary and proper.

22 DATED: December 15, 2004

23 

24 TERESA BELLO-JONES, J.D., M.S.N., R.N.
25 Executive Officer
26 Board of Vocational Nursing and Psychiatric Technicians
27 Department of Consumer Affairs
28 State of California
Complainant